



PATENT
5936-00517

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

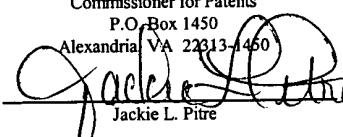
Application No.: 09/616,731
Confirmation No.: 6881
Filing Date: July 14, 2000
Inventors: McDevitt et al.
Title: METHOD AND
APPARATUS FOR THE
DELIVERY OF SAMPLES
TO A CHEMICAL SENSOR
ARRAY

§ Examiner: Nelson C. Yang
§ Art Unit: 1641
§ Atty. Dkt. No.: 5936-00517

CERTIFICATE OF MAILING
UNDER 37 C.F.R. §1.8

DATE OF DEPOSIT: November 30, 2005

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail on the date indicated above and is addressed to:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Jackie L. Pitre

COMMENTS ON INFORMATION DISCLOSURE STATEMENT AND
COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

MAIL STOP: ISSUE FEE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Remarks begin on page 2 of this paper.

A. Pending Claims

Claims 413-442, 444-466, and 490-492 are pending and allowed.

B. Information Disclosure Statement

The Office Action states: "The office actions in the information disclosure statement filed August 30, 2004 fails to comply with the provision of 37 CFR 1.97, 1.98 and MPEP § 609 because they were not publicly available." Applicant respectfully disagrees with this statement.

Applicant respectfully submits that information may be properly included in an Information Disclosure Statement even if it is not publicly available. Applicant respectfully requests consideration of the Office Actions submitted in the Information Disclosure Statement filed August 30, 2004.

C. Comments On Statement Of Reasons For Allowance

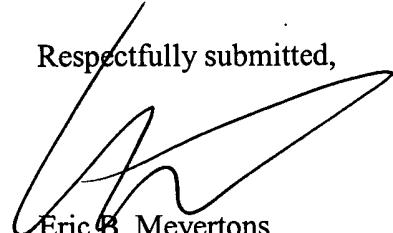
Applicant respectfully disagrees with the Examiner's Statement of Reasons for Allowance and/or Applicant believes that the Examiner's Statement of Reasons for Allowance is incomplete.

Applicant respectfully submits that the cited art does not teach or suggest the combinations of features set forth in the Applicant's claims. Applicant submits the submitted references at least do not appear to teach or suggest a system for detecting analytes in a fluid that includes a vacuum apparatus having a breakable barrier.

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It is believed that no fees are due in connection with the filing of this response. If any fees are due, the Commissioner is hereby authorized to deduct said fees from Meyertons, Hood, Kivlin, Kowert & Goetzel, P.C. Deposit Account No. 50-1505/5936-00517/EBM.

Respectfully submitted,



Eric B. Meyertons
Reg. No. 34,876

Attorney for Applicant

MEYERTONS, HOOD, KIVLIN, KOWERT & GOETZEL, P.C.
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Date: November 30, 2005



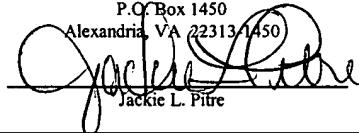
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 Jackie L. Pitre	

PAYMENT OF ISSUE FEE

MAIL STOP: ISSUE FEE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

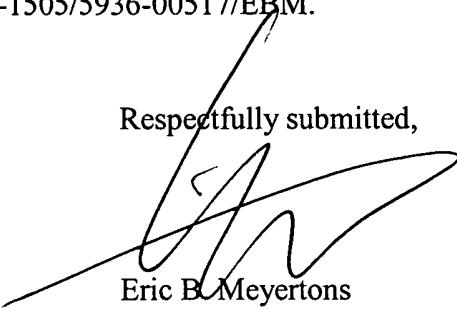
Please find enclosed:

- 1) Issue Fee Transmittal Form PTOL-85B (1 page);
- 2) Comments on Information Disclosure Statement and Comments on Statement of Reasons for Allowance (4 pages);
- 3) A fee authorization in the amount of \$715.00 (2 pages); and
- 4) A return postcard evidencing receipt of these materials.

McDevitt et al.
09/616,731

If any fees are inadvertently omitted or if any additional fees are required or have been overpaid, please appropriately charge or credit those fees to Meyertons, Hood, Kivlin, Kowert & Goetzel, P.C. Deposit Account Number 50-1505/5936-00517/EBM.

Respectfully submitted,



Eric B. Meyertons
Reg. No. 34,876

Attorney for Applicant

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